

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
Plaintiff,) 4:04CR3058
vs.)
PHILLIP ALAN NEVILLE,)
Defendant.) DETENTION ORDER
PETITION FOR
ACTION ON CONDITIONS
OF
SUPERVISED RELEASE

Pursuant to 18 U.S.C. § 3142(f) and § 3143(a) of the Bail Reform Act, and Fed. R. Crim. P. 32.1(a)(6),

IT IS ORDERED,

The above-named defendant shall be detained until further order, because:

The defendant has failed to meet the burden of showing, by clear and convincing evidence pursuant to 18 U.S.C. § 3153 (a) and Fed. R. Crim. P. Rule 32.1(a)(6) that defendant is not likely to fail to appear or pose a danger to the safety of any person or the community.

The defendant waived the right to a detention hearing and agreed to detention.

The Court's findings are based on the evidence presented in court and that contained in the court's records, and includes the following:

The Petition accuses the defendant of assaulting two separate women five months apart. He now asks to live with a woman who has a nine-year-old son—a woman who he has known for ten years, but with whom he rekindled his friendship only after the first alleged domestic assault (and associated loss of residence) occurred. Under such circumstances, the court is concerned that the defendant poses a risk of domestic assault to another woman and her son if released.

IT HEREBY IS FURTHER ORDERED:

The defendant is committed to the custody of the Attorney General for confinement in a corrections facility; the defendant shall be afforded reasonable opportunity for private consultation with counsel; and on order of a court of the United States, or on request of an attorney for the government, the person in charge of the facility shall deliver the defendant to a United States Marshal for appearance in connection with a court proceeding.

DATED: April 13, 2012

BY THE COURT:

s/*Cheryl R. Zwart*
Cheryl R. Zwart
United States Magistrate Judge